United Nations S/2015/833

Security Council

Distr.: General
3 November 2015

Original: English

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo

I. Introduction and Mission priorities

1. The present report is submitted pursuant to Security Council resolution 1244 (1999), by which the Council decided to establish the United Nations Interim Administration Mission in Kosovo (UNMIK) and requested that I report at regular intervals on the implementation of its mandate. It covers the activities of UNMIK, and developments related thereto, from 16 July 2015 to 15 October 2015.

2. The priorities of the Mission remain to promote security, stability and respect for human rights in Kosovo and in the region. In furtherance of its goals, UNMIK continues its constructive engagement with Pristina and Belgrade, all communities in Kosovo and regional and international actors. The Organization for Security and Cooperation in Europe (OSCE) and the Kosovo Force (KFOR) continue to perform their roles within the framework of Security Council resolution 1244 (1999). The European Union Rule of Law Mission (EULEX) continues its presence in Kosovo in line with the statement by the President of the Security Council of 26 November 2008 (S/PRST/2008/44) and my report of 24 November 2008 (S/2008/692). The United Nations agencies, funds and programmes work closely with the Mission.

II. Key political developments

3. The reporting period was marked by progress in the European Union-facilitated dialogue between Belgrade and Pristina, including in the implementation of the "First agreement of principles governing the normalization of relations" of 19 April 2013, Kosovo's passage of legislation required for the establishment of the Specialist Court (which will try cases brought forward by the European Union Special Investigative Task Force), as well as internal tensions in Pristina owing to protests by the opposition against the establishment of the Association/Community of Serb majority municipalities.

4. On 25 August, the Pristina and Belgrade delegations, led respectively by the Prime Minister of Kosovo, Isa Mustafa, and the Prime Minister of Serbia, Aleksandar Vučić, met in Brussels under the facilitation of Federica Mogherini, the High Representative of the European Union for Foreign Affairs and Security Policy and Vice-President of the European Commission. The sides concluded a package of agreements, including on general principles/main elements of the association/

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community of Serb majority municipalities in Kosovo. Among other provisions, the package foresees the submission, within a period of four months, of the draft statute of the association/community for further consideration of the Prime Ministers; an agreement to advance the implementation of the Energy Agreement of 2013; an action plan for telecommunications; and arrangements for use of the main bridge in Mitrovica in a mutually agreed manner. On 13 October, Ms. Mogherini additionally hosted an informal meeting with both Prime Ministers, during which they discussed the implementation of the agreements of 25 August and reaffirmed their commitment to the implementation of all the agreements reached to date.

5. The agreements of 25 August, however, have prompted protests by Kosovo opposition parties, consisting of "Self-Determination", "Alliance for the Future of Kosovo" and "Initiative for Kosovo". On 22 September, during a briefing by Prime Minister Mustafa to the Assembly on the package of agreements, opposition representatives physically disrupted the session by throwing objects at the Prime Minister and blocking the podium, demanding that the government withdraw from the high-level dialogue agreement establishing the association/community of Serb municipalities in Kosovo, as well as an agreement on territorial delineation signed with Montenegro. A similar incident occurred during the Prime Minister's visit to Podujevë/Podujevo on 6 October. On 8 October, a leading "Self-Determination" member of the Assembly interrupted a plenary session of the Assembly by triggering a tear gas canister in the Assembly hall, resulting in some of the members seeking medical assistance. These acts were deplored and condemned by representatives of the international and diplomatic community, including UNMIK. Leaders in Belgrade also expressed concerns about the aggressive rhetoric used by some Kosovo opposition parties, including threats of further violent actions against the establishment of the community/association.

6. On 12 October, the same senior "Self-Determination" member of the Assembly was briefly detained for an interview by the Kosovo police. Approximately 200 of his supporters then gathered in front of the main Kosovo police station in Pristina, demanding the release of the Assembly member, throwing stones and other objects at the building and at police protection units. Several arrests were made. According to the Office of the Chief Prosecutor, investigations have been initiated against some members of the Assembly with regard to the tear gas incident of 8 October. Despite enhanced security measures, on 15 October, "Self-Determination" and "Alliance for the Future of Kosovo" members of the Assembly again released tear gas in the Assembly hall, resulting in the opening of the session being aborted. On 15 October, the Prosecutor's Office announced the initiation of investigations of some Assembly deputies in connection with the incidents of 8 and 15 October.

7. Previously, on 3 August, the Assembly of Kosovo had endorsed a long awaited and important constitutional amendment, by a two-thirds majority vote of 82 out of 120 deputies, to enable the establishment of the Specialist Court. As had been the case during the previous attempt to pass the constitutional amendment on 26 June, opposition lawmakers from "Self-Determination", "Alliance for the Future of Kosovo" and "Initiative for Kosovo" declined to participate in this vote. Also on 3 August, the Assembly adopted the accompanying Law on Specialist Chambers and Specialists Prosecutor's Office as well as the Law on Legal Protection and Financial Support for Potential Accused Persons in Trials before the Specialist Chambers. The President of Kosovo, Atifete Jahjaga, promulgated these two laws on 20 August.

The three opposition parties requested the Constitutional Court to annul the amendment to the Constitution, citing procedural grounds. The request, however, was ruled inadmissible by the Court on 21 September, and the amendment and laws are now in force.

8. A memorandum of understanding on the mutual recognition of motor third party liability insurance, signed in Brussels by Pristina and Belgrade on 23 June, entered into force at all crossing points on 12 August. The agreement helps to normalize vehicular insurance rates charged on both sides of the boundary.

9. On 26 August in Vienna, Kosovo signed an agreement on territorial delineation with Montenegro. The agreement confirms the mutual commitment to good neighbourly relations, security, stability, and regional cooperation, conforming to the former administrative boundary of 1974 of the Socialist Federal Republic of Yugoslavia, and in harmony with current Kosovo legislation. As noted above, however, opposition parties have continued to oppose the agreement.

10. On 2 September, Kosovo Prime Minister Mustafa appointed members of the "Civic Initiative Serbian List" (GISL), the Kosovo Serb political party, to six deputy ministerial posts as well as to the post of Director of the Office for Communities within the Office of the Prime Minister. The appointments further fulfilled parts of the GISL coalition agreement with the "Democratic League of Kosovo" (LDK) and the "Democratic Party of Kosovo" (PDK) reached on 9 December 2014. Separately, on 21 September, three senior Kosovo Serb members of the government: the Deputy Prime Minister, the Minister for Communities and Returns, and the Minister for Local Government Administration, as well as 9 out of 10 Kosovo Serb mayors called upon Aleksandar Jablanović, the leader of GISL, to step down. On 29 September, the Kosovo Serb Deputy Prime Minister, Branimir Stojanović, further announced that he would serve as interim coordinator of GISL pending the identification of a permanent replacement.

11. On 16 September, the government of Kosovo adopted a five-year strategy for the prevention of violent extremism and radicalization. The strategy and its action plan represent the government's commitment to take steps across many sectors of government and society to prevent and combat all forms of extremism.

12. On 27 August, Kosovo attended the Western Balkans summit, held in Vienna. The meeting focused on regional cooperation in the construction, energy and transport sectors, including a possible upgrade of the road link between Pristina and Niš in central Serbia, and connection to the already existing road structure between Pristina and the Albanian coastal city of Durrës. From 10 to 12 September, President Jahjaga visited Tirana. She met with the Albanian leadership to discuss cooperation across a range of sectors.

13. At the end of July, the Executive Board of the International Monetary Fund approved a 22-month standby arrangement for Kosovo in the amount of €184 million. The arrangement is intended to support lower public deficits and debts, while encouraging private investment as well as additional support from multilateral and bilateral creditors.

14. In early August, Kosovo submitted to the United Nations Educational, Scientific and Cultural Organization (UNESCO) an application for membership. The application was strongly contested by Belgrade, which argued, among other things, that it was incompatible with Security Council resolution 1244 (1999).

III. Northern Kosovo

15. Following from the agreement reached on 25 August in Brussels, work aimed at revitalizing the area of the main bridge in Mitrovica was delayed by 48 hours from the originally planned date of 15 October for the bridge to be closed with the exception of one pedestrian lane. The works are to be based on the recommendations of a technical assessment and an architectural design study that were agreed by the parties on 29 June. The plan foresees a reopening, including for vehicular traffic, by the end of June 2016. Also under the terms of the agreement of 25 August, a memorandum of understanding that determines the administrative boundaries of cadastral areas in Suvi Do/Suhadoll and Kroi i Vitakut/Brdjani was to be agreed upon by the relevant ministries and the municipalities of North and South Mitrovica by 10 October. However, discussions overran that deadline, and the date for signing the memorandum was still to be determined.

16. The northern Municipal Assemblies completed and submitted, by the 30 September deadline, their municipal budget proposals to the Kosovo government. The proposals, however, exceeded the budgetary "ceilings" set by the Ministry of Finance, which subsequently rejected the current proposals of the four northern municipalities. Further exchanges were expected to be conducted in order to find agreement on these budgets.

17. On 20 July, miners at the Trepça/Trepča mining facility in Stan Trëg/Stari Trg held a one-day strike to call upon the Assembly of Kosovo to accelerate the passage of legislation that would help to resolve the status of the Trepça/Trepča mining complex.

18. The continued detention of Oliver Ivanović, a Kosovo Serb political leader prompted public protests in North Mitrovica. Protesters demanded the release of the detainees from detention on remand during the court proceedings, which have been under way since December 2014. On 18 September, the trial panel in the Basic Court of Mitrovica issued a decision to terminate the detention on remand against Ivanović and a co-defendant, instead ordering house detention for both defendants, which had been among the demands of the protestors.

IV. Security

19. The situation in Kosovo remained generally stable, while the reporting period was marked by recurring incidents of protests and disruptions of the Assembly of Kosovo, as described in paragraphs 5 and 6 above.

20. On 3 August, during a gathering in Pristina of more than 100 members of the Kosovo Liberation Army War Veterans Association, who demanded that an official list of fighters from the 1998-1999 conflict be finalized, the demonstrators heckled and threw objects at the Deputy Prime Minister and Minister for Foreign Affairs, Hashim Thaçi. On 28 August and 6 October, similar incidents, which also involved the throwing of objects, targeted Prime Minister Mustafa. Two suspects were arrested by the Kosovo police in connection with the latter incident. In the context of opposition-led protests against the agreement on an association/community of Serb majority municipalities in Kosovo, opposition members also organized small-scale meetings across Kosovo and carried out a campaign of graffiti-spraying and vandalism.

21. Incidents targeting non-majority communities as well as cultural and religious heritage sites also continued to occur during the reporting period. A total of 26 incidents affecting cultural and religious heritage sites have been recorded, 17 of which occurred at Serbian Orthodox sites, 3 at Roman Catholic sites and 1 at an Islamic religious site; an additional case was recorded at the Jewish Community Centre in Kosovo and the remaining four targeted other cultural heritage sites. The incidents included a number of cases of theft of property from Serbian Orthodox Churches, mainly in eastern Kosovo, and subsequently led to arrests of three suspects by the Kosovo police. On 1 August, four Kosovo Serb members of the Assembly of Kosovo, one of them the Deputy President of the Assembly, received telephone threats related to their voting positions in the Assembly. These threats are being investigated by the Kosovo police.

22. On 28 August, during a visit of some 170 Kosovo Serb internally displaced persons in Gjakovë/Đakovica to celebrate the "Assumption of the Virgin Mary" Orthodox holiday, a group of Kosovo Albanian protestors attempted to break through a police cordon, throwing firecrackers and paint at the police officers. One person was arrested.

23. On 7 October, the Economic Crimes Unit of the Kosovo police arrested 15 employees of a Belgrade-funded public enterprise, "Šara Mountain National Park" in Shtërpcë/Štrpce municipality, on charges of abuse of authority. The Kosovo Serb members of the Kosovo government and Serb party leaders protested the arrests. The Government of Serbia convened an emergency session in response to what it saw as an illegitimate and unilateral action by the police in Kosovo. All employees were released; four of them were charged with minor offences.

24. On 12 October, an explosive device damaged the house of the mayor of Leposaviq/Leposavić in northern Kosovo; no injuries were sustained. The Kosovo police is investigating the incident.

V. Rule of law

25. UNMIK continued to monitor activities and exercise certain responsibilities in the area of the rule of law as well as maintain technical cooperation with relevant institutions in both Pristina and Belgrade. UNMIK continued to facilitate requests for mutual legal assistance from States that do not recognize Kosovo and provide document-certification services at the request of those States and Kosovo's residents. More than 500 such documents were processed during the reporting period.

26. UNMIK also continued to facilitate communications between the Kosovo authorities and the International Criminal Police Organization (INTERPOL). During the reporting period, UNMIK issued 19 INTERPOL "red notices".

27. Work proceeded on the implementation of the Pristina-Belgrade agreement on the integration of the judiciary. The Appointment Committee, composed of representatives of the Kosovo Judicial Council, the Kosovo Prosecutorial Council and EULEX, finalized the selection process on the technical level for the majority of the advertised positions (a total of 63 positions, comprising 48 judges and 15 prosecutors). The Government of Serbia has yet to adopt the legislation aimed at

regulating the pensions of the staff still employed in its institutions, a requirement for the completion of the integration process.

28. Work also continued on the integration of former Serbian civil protection personnel in northern Kosovo. To date, more than 100 former civil protection staff have been integrated within Kosovo institutions in the four northern municipalities, including 80 officers who signed contracts with the Emergency Management Agency of the Ministry of Internal Affairs, and 25 who now serve as correction officers in the North Mitrovica Detention Centre of the Kosovo Correctional Service of the Ministry of Justice.

29. On 4 September, UNMIK facilitated a field visit by the representatives of the United Nations Office on Drugs and Crime (UNODC) in Pristina and their discussions with Kosovo authorities on possible cooperation within the framework of the UNODC Regional Programme for South-Eastern Europe for the period from 2016 to 2019, in particular in the field of anti-money-laundering and counter-terrorism financing, anti-corruption, terrorism prevention and countering organized crime.

30. On 10 September and 15 October, UNMIK held coordination meetings in northern Kosovo with civil society on rule of law issues. These meetings serve as a mechanism of cooperation and coordination among rule of law actors, including international organizations, Kosovo institutions and local civil society organizations. A number of actions related to the rule of law were agreed, including several projects aimed at strengthening the rule of law, to facilitate the provision of services by the Regional Social Welfare Office on Juvenile Justice and Gender-Based Violence.

VI. Returns and communities

31. The Office of the United Nations High Commissioner for Refugees (UNHCR) registered 213 voluntary returnees to Kosovo between July and September 2015 (123 Kosovo Serbs, 37 Kosovo Egyptians, 23 Kosovo Ashkali, 22 Kosovo Roma, 6 Kosovo Bosniaks, 1 Kosovo Albanian and 1 Kosovo Montenegrin). Since the beginning of the year, UNHCR has registered a total of 427 voluntary returnees to Kosovo, which is consistent with the continuing trend of a low rate of these returns. As at September 2015, the number of voluntary returnees to Kosovo since 2000 stood at 26,323 and the total number of internally displaced persons in Kosovo was estimated to be 16,950, including 474 individuals who continue to be housed in 29 collective centres.

32. UNHCR continued to provide support to individuals in obtaining personal documentation and resolving matters related to their civil status. From July to September, UNHCR assisted 170 individuals in obtaining civil documentation.

33. On 22 September, representatives from Pristina, Belgrade, Podgorica and Skopje attended the High-level Forum on Durable Solutions for Displaced Persons from Kosovo, organized by OSCE, with support from UNHCR, and issued a joint communiqué affirming their commitment to regional cooperation on durable solutions for displaced persons from Kosovo.

34. Local efforts in support of voluntary returns also continued. On 3 September, a working group on the return of displaced persons to Mushitishtë/Mušutište village

in Suharekë/Suva Reka Municipality — which was established in the context of the recently formed Interministerial Commission for Return — held its first meeting. The meeting was chaired by a representative of the Ministry for Communities and Return and attended by representatives of the local Kosovo authorities, the Kosovo Serb community, UNHCR and the International Organization for Migration.

35. As part of a project co-financed by the European Union and the Kosovo Ministry for Communities and Return, and implemented by the International Organization for Migration, 36 newly built houses were handed over to returnees during August and September and 43 additional houses are in the process of construction. UNMIK also continued to monitor developments and issues affecting the majority and non-majority communities, through field visits and regular exchanges with local stakeholders.

VII. Cultural and religious heritage

36. Following the withdrawal of a highly controversial draft law on cultural heritage from discussion at the Assembly of Kosovo in May 2015, Kosovo Prime Minister Mustafa, in dialogue with representatives of the Serbian Orthodox Church, initiated the establishment of a working group to fully revise the draft law. The initial draft law, which had aimed at identifying the means to strengthen the preservation and protection of cultural heritage sites, while facilitating their public access, led to expressions of serious concern by the Serbian Orthodox Church, particularly as these sites were defined in the draft law as property of the government of Kosovo.

37. On 4 August, local authorities proceeded to demolish the "Mullafazliu Guesthouse" in the special protective zone of the Historic Centre of Prizren, on the basis of an assessment by the municipal inspectorate that the old building presented a serious risk to public safety. The guesthouse, constructed in the nineteenth century, qualified as a Kosovo cultural heritage site and enjoyed legal protection by the Law on the Historic Centre of Prizren. The building was demolished without adherence to the legally required notice period of 15 days. In protest of this action, the Chairperson of the Council for the Cultural Heritage of the Historic Centre of Prizren resigned from his position.

38. A cultural preservation project in Novobërdë/Novo Brdo Municipality, at a site of a medieval fortress, has made progress in stabilizing the walls of the fortress to prevent further deterioration. The first phase of the project, implemented by UNESCO, is scheduled to be completed in November 2015.

VIII. Human rights

39. On 15 September, the Working Group on Enforced and Involuntary Disappearances presented to the Human Rights Council its report (A/HRC/30/38/Add.1) resulting from its official visit to the region in 2014 to examine matters related to enforced disappearances and missing persons. UNMIK facilitated the participation of the Kosovo Commission on Missing Persons in the interactive dialogue on enforced and involuntary disappearance at the session of the Human Rights Council.

40. As at 15 October, a total of 1,670 persons remained listed as missing from the Kosovo conflict. On 24 July, UNMIK attended a regular working meeting organized by the Commission on Missing Persons. During the reporting period, no substantive contacts were held in the Belgrade-Pristina Working Group on Missing Persons, owing to the non-appointment of the Chair of the Pristina Delegation for the Working Group. UNMIK has pressed for urgent action on the appointment.

41. On 10 September, the Kosovo Centre for Security Studies, supported by the European Union Office, organized a round-table meeting on the topic "The role of women in countering violent extremism in Kosovo", in Vushtrri/Vučitrn. The event drew attention to the role of women in contributing to the early identification of religious extremism as well as in contributing to its prevention.

42. The UNMIK Human Rights Advisory Panel, which reviews complaints of alleged human rights violations committed by UNMIK from 23 April 2005 to 31 March 2010, delivered six opinions on 13 complaints during the reporting period. The Panel found in all these cases that UNMIK had fallen short of satisfying the procedural requirements of article 2 (right to life) and, in 11 cases, of article 3 (prohibition of torture, inhumane or degrading treatment) of the European Convention on Human Rights. By the end of September, the Panel had closed 487 cases; 40 cases remain outstanding. The Panel plans to complete its substantive work on the complaints by the end of 2015.

IX. Observations

43. I welcome the continued progress in the European Union-facilitated dialogue and further agreements reached between Belgrade and Pristina on 25 August, in particular, the general principles/main elements for establishing the association/community of Serb majority municipalities. As one of the cornerstones of the "First agreement of principles governing the normalization of relations", the establishment of the association/community is an essential step towards achieving the full implementation of this historic agreement and further improvement in the daily lives of Kosovo's population. I congratulate Prime Minister Vučić and Prime Minister Mustafa on their exceptional leadership in carrying this process forward. I encourage all leaders in Pristina and Belgrade to sustain this momentum, including by finalizing the statute of the association/community in the time frame agreed, as well as ensuring swift implementation of all agreements included in the 25 August package.

44. I strongly welcome the much awaited endorsement of the constitutional amendment and other laws to establish the Specialist Court by the Assembly of Kosovo. The progress made in this regard has been crucial to demonstrate Kosovo's commitment to the fundamental principles of justice and accountability. I call upon all stakeholders to expeditiously complete the remaining arrangements for the full and prompt establishment of the Court.

45. I condemn the use of violence and intimidation by the opposition parties to impede the normal proceedings of the Assembly of Kosovo, as well as the unacceptable physical attacks by opposition activists directed at the Prime Minister and members of his government. I call upon all political actors to refrain from rhetoric and actions that are incompatible with the principles and norms of a civilized and democratic society. Such acts damage public confidence in these

institutions, as well as Kosovo's image in the wider world. I urge all political actors, notably those in the opposition, to fulfil their duties with responsibility and maturity, fully respecting the democratic process and the institutions to which they are elected.

46. I urge the swift appointment of the Chair of the Pristina Delegation for the Working Group on Missing Persons, so as to facilitate progress without delay on this matter. I call upon all stakeholders to step up their efforts, and avoid prolonging the suffering of the affected families.

47. I welcome the expressed commitment and work by the Kosovo authorities to help to address the transnational challenges of countering violent extremism and radicalization. The adoption by the government of Kosovo of a broad-based strategy to address those challenges is notable in this regard. The United Nations stands ready to support and facilitate this continuing effort within the framework of the UNMIK mandate.

48. I commend the progressive steps towards strengthening regional cooperation, as exemplified by the Western Balkans summit in 2015, which focused, among other issues, on cooperation with European financial institutions. Proposed development projects designed to benefit the population of the region, collectively and cooperatively, represent crucial contributions towards the goals of peace and stability.

49. In August, I appointed Zahir Tanin of Afghanistan as my new Special Representative for Kosovo and Head of UNMIK. With extensive senior diplomatic experience, Mr. Tanin enjoys my full confidence in this important role. I call upon all actors to extend to him their full support and close cooperation. He succeeds Farid Zarif, who has led UNMIK for the past four years with dedication and professionalism. I express my gratitude to Mr. Zarif and to all Mission personnel for their continuing commitment and service. I also thank members of the United Nations system and international partners on the ground, including KFOR, EULEX, OSCE and the European Union, for their cooperation and continuing contributions to peace and progress in Kosovo.

Annex I

Report of the European Union High Representative for Foreign Affairs and Security Policy to the Secretary-General on the activities of the European Union Rule of Law Mission in Kosovo

(covering the period from 16 July to 15 October 2015)

1. Summary

The European Union Rule of Law Mission in Kosovo (EULEX) continued to undertake its monitoring, mentoring, and advising activities and to implement its executive functions in line with its mandate in the rule of law area. A number of verdicts were pronounced in cases concerning organized crime, corruption and other serious crimes. The trial of the so-called "Bahrain robbery" case, relating to an armed robbery of luxury watches worth over 1 million euros at a shopping mall in the Kingdom of Bahrain in 2013, led to the conviction of five defendants. A high-profile defendant, who had been sentenced to 12 years of imprisonment for murder, was arrested when he was found unescorted by correctional staff outside a private house in Pristina without any granted court order. The action followed repeated concerns expressed by the Mission regarding the preferential treatment awarded to high-profile defendants in Kosovo.

In northern Kosovo, the Mission exercised its executive functions in a number of judicial cases. Notably, the main trial against five defendants, including a well-known Kosovo Serb politician accused of war crimes, continued and attracted most critical attention and scrutiny, which also amounted to political pressure on the Mission and its judicial staff. There were only a few security incidents in the reporting period, which was overall calm.

Further successful steps were taken in the implementation of European Union-facilitated dialogue agreements with support from EULEX. In the context of civil protection integration, the last observation point of civil protection at the main bridge in Mitrovica was handed over to the Kosovo police, and EULEX facilitated the handover of equipment to the Kosovo Agency for Emergency Management. In terms of the integration of former civil protection staff, 25 applicants began their training ahead of taking up their positions at the Mitrovica Detention Centre.

2. EULEX activities

2.1 Executive

War crimes

On 7 August, a EULEX prosecutor at the Kosovo Special Prosecution Office filed an indictment against a defendant in a war crimes case at Gjakova/Đakovica Basic Court. The case relates to a massacre near the town of Gjakova/Đakovica, which is thought to be the largest mass killing during the conflict in Kosovo.

Main developments in organized crime and corruption

At the Court of Appeals, a panel of two local judges and one EULEX judge finalized the case against, inter alia, the Mayor of Prizren and sent it back to the Basic Court for retrial. The EULEX judge, who presided over the panel, issued a disserting opinion expressing that there were not sufficient legal grounds to annul the first instance judgement. A EULEX appellate prosecutor has appealed the decision to the Supreme Court. EULEX appellate prosecutors have also appealed and filed a request for protection of legality in two other cases in which the Court of Appeals had dismissed the indictments as belated. These cases are awaiting decisions of the Supreme Court.

The trial in the "Bahrain robbery" case, which began on 19 November 2014, was concluded at Pristina Basic Court on 6 August. A panel of one local judge and two EULEX judges convicted five defendants for offences related to the armed robbery of luxury watches worth over 1 million euros at a shopping mall in the Kingdom of Bahrain in 2013. One defendant was found guilty of organized crime and was sentenced to 12 years of imprisonment as well as a fine of €12,500. Three defendants were also found guilty of organized crime and were sentenced to 11 years of imprisonment and fines of €12,000 each. A fifth defendant was sentenced to three years of imprisonment for unauthorized ownership, control or possession of weapons. The case was prosecuted by a EULEX prosecutor at the Kosovo Special Prosecution Office.

On 27 August, a EULEX prosecutor at the Kosovo Special Prosecution Office filed an indictment against six defendants at Ferizaj/Uroševac Basic Court in the so-called "car wash" case. Four defendants are charged with organized crime and aggravated extortion, while some of the defendants face additional charges. The alleged criminal offending spans a period from 2008 to 2015 and is related to the purchase of parcels of land in Ferizaj/Uroševac. The case was investigated jointly by the EULEX police and the Kosovo police.

On 8 September, a panel of two local judges and one EULEX judge at the Court of Appeals affirmed the judgement of Gjilan/Gnjilane Basic Court, dated 20 November 2013, by which a former Kosovo mayor and a former procurement manager at the municipality were acquitted of abusing official position or authority.

On 21 September, a panel of one local and two EULEX judges at Pristina Basic Court found four persons guilty of abusing official position or authority in the "Ministry of Trade and Industry" case. A former Director at the Ministry was sentenced to 26 months imprisonment, while three others received sentences of 10, 8 and 7 months of suspended imprisonment, respectively.

The privileged treatment awarded to certain high-profile prisoners continues to be a serious concern. On 22 September, at the order of a EULEX prosecutor at the Kosovo Special Prosecution Office, a high-profile defendant was arrested for violating the conditions of his detention. At the time of the arrest the defendant, who had been sentenced to 12 years of imprisonment for murder, was found unescorted by correctional staff in a vehicle outside a private house in Pristina, after having left the University Clinical Centre of Kosovo, where he had been treated. On the same day, a EULEX judge at the Mitrovica Basic Court ordered that the defendant would be transferred from the Dubrava Detention Centre to the High Security Prison in

Podujevë/Podujevo, where he is currently being held. Three officers of the Kosovo Correctional Service were suspended for their involvement.

On 28 September, a EULEX prosecutor filed a consolidated indictment in the "Ministry of Transport, Post and Telecommunications" case, following an order from the Court of Appeals to join proceedings in two cases. Five defendants are accused of, inter alia, organized crime and giving and accepting bribes. The indictment was filed after a lengthy and complex investigation by the EULEX police, in cooperation with the Kosovo police.

Other serious crimes cases

On 31 July, a panel of EULEX judges at Mitrovica Basic Court sentenced a defendant to 15 years of imprisonment for aggravated murder, committed in March 2013 in Vushtrri/Vučitrn.

At the Court of Appeals, panels with a majority of local judges also rendered two rulings on serious crimes. On 4 August, a panel affirmed the judgement of Mitrovica Basic Court from July 2014 and sentenced a defendant to 12 months of imprisonment and a fine of €300 for attempting to obstruct official persons in performing their duties. A panel also affirmed the judgement of Pristina Basic Court from 9 September 2014, according to which a defendant was sentenced to 25 years of imprisonment for aggravated murder and unauthorized possession of weapons.

Allegations found in the report by the Special Rapporteur for the Committee on Legal Affairs and Human Rights of the Council of Europe, Dick Marty

On 3 August, the Kosovo Assembly approved the constitutional amendments needed to establish the Specialist Chambers that will adjudicate any indictment arising from the investigations of the Special Investigative Task Force, with 82 votes in favour, 5 against and 1 abstention. The same day, the Assembly approved the Law on Specialist Chambers and Specialist Prosecutor's Office. The Lead Prosecutor, David Schwendiman welcomed the adoption of the legislative package enabling the creation of the Specialist Chambers and the Specialist Prosecutor's Office. On 21 September, the Constitutional Court declared inadmissible objections submitted by the opposition parties against the constitutional amendments.

The Special Investigative Task Force continued its criminal investigation into the allegations contained in the report of the Council of Europe, focusing on the individual criminal liability of those most responsible for the allegations made in the report.

While cooperation with law enforcement and judicial authorities in the region and elsewhere continues to be satisfactory, sustained cooperation from all parties remains critical for investigative and operational activities to continue to make progress. Work with injured parties, victim advocacy groups and individuals to gather information relevant to the investigation is ongoing.

In parallel, the Planning Team responsible for the set-up of the Specialist Chambers has continued with its preparatory work and planning to facilitate a smooth process, once all the requirements are met for the establishment of the Specialist Chambers and Specialist Prosecutor's Office.

Department of Forensic Medicine

EULEX forensic experts, together with local experts, at the Department of Forensic Medicine, conducted site assessments in the areas of Kamenicë/Kamenica, Suharekë/Suva Reka, Prizren, Gjakova/Đakovica, Deçan/Dečani, Mitrovica, Rahovec/Orahovac and Klinë/Klina as well as in Novi Pazar in Serbia. Four bodies were exhumed from the sites. On 25 August, the Department carried out excavations of three graves at the cemetery of Krushë e Vogel/Velika Kruša in order to make proper identification of the remains. After autopsies were performed, DNA samples were sent out for further profiling and identification. To respond to concerns expressed during the excavation, the Department and its EULEX staff met with representatives of the village and the Kosovo Women's Network to inform them about the work carried out in relation to the case.

Property rights

During the reporting period, the Kosovo Property Agency Appeals Panel received 42 new appeals and adjudicated 33 appeals, while 457 appeals are pending a decision of the panel. The Special Chamber of the Supreme Court for privatization matters rendered 304 decisions in first instance trial panel cases and finalized 56 cases at the appellate panel level.

2.2 Strengthening

EULEX continues to provide advice and guidance to Kosovo Customs in order to establish a single-window system, to increase efficiency for traders, free up staff to work in other customs areas and strengthen anti-corruption measures.

EULEX organized a workshop on data links between the Civil Registry Agency and different law enforcement agencies to improve the understanding and practical implementation of existing cooperation agreements, support the capacity development of the institutions involved and highlight the importance of database interoperability, with a focus on data protection policies. EULEX continued its support for the opening of Civil Registry Agency offices in northern Kosovo.

The Police Inspectorate of Kosovo opened its first Regional Office for Complaints in the municipality of Gjilan/Gnjilane. This is part of its Strategic Plan 2016-2018, which was developed with the Mission's advice, and will help in strengthening the cooperation with the population and provide an opportunity for better police oversight.

EULEX monitored the recruitment process for the Director of Dubrava Correctional Centre. The Mission assessed that none of the candidates was suitable for this position and Kosovo counterparts were advised to seek more adequate candidates through a new vacancy announcement. Against the advice of the Mission, the Director General of the Kosovo Correctional Service appointed a new Director of the Dubrava Correctional Centre on 14 August. The transfer of the four convicts of the "Drenica group", who are still held at the Dubrava Correctional Centre, to the High Security Prison with its new medical facilities, is still pending (one person was already transferred; see the previous section). Since the verdict in May, the Kosovo Correctional Service has yet to categorize these prisoners. Prisoner categorization is a crucial factor in the decision for placements of prisoners, ensuring that each prisoner is housed in an adequate facility. The issue of abuse of

extended medical appointments at the University Clinical Centre of Kosovo in Pristina continued. The Director General of the Kosovo Correctional Service resigned on 2 October. He has, since the beginning of his tenure, been at the core of the phenomenon of privileged treatment of high-profile prisoners and the Mission had continuously highlighted this to the Kosovo authorities.

The Mission also supported the Kosovo police in developing an action plan with steps to full implementation of intelligence-led policing in Kosovo. The action plan was incorporated into the Kosovo police Strategy on Intelligence-Led Policing. To facilitate a smooth implementation, the Kosovo police launched a pilot project on submitting adequate information reports (one of the most relevant points of the action plan) in the Ferizaj/Uroševac region. This project has received good support from the Kosovo police senior management and the Kosovo police plan to also introduce it in the remaining regions in the coming months with the support of the Mission.

The Mission monitored and analysed disciplinary decisions against judges. Although some progress can be noted regarding disciplinary investigations by the Office of the Disciplinary Counsel, they are still in need of major enhancements. The Mission has set up a mentorship programme for Office of the Disciplinary Counsel, which aims at improving the quality of the legal drafting and the quality of the future disciplinary decisions.

2.3 Northern Kosovo

On 21 August, EULEX supported the Kosovo police in a search and arrest operation in Leposavić/Leposaviq, following a shooting incident involving an automatic weapon, with one victim badly injured. On 26 September, there was an arson attempt against the personal vehicle of a Kosovo Serb officer of the Kosovo police. On 27 September, an unidentified perpetrator fired shots towards a vehicle driven by a Kosovo Serb in Mitrovica North. On 4 October, one person sustained an injury from gun shots in Mitrovica North. On 12 October, a hand grenade thrown at the family house of the mayor of Leposavić/Leposaviq in Sočanica/Soçanicë caused material damages.

The Mission exercised its executive functions in a number of judicial cases. On 1 July, a panel of EULEX judges started the main trial against eight defendants indicted for the attacks against EULEX personnel in the municipality of Zubin Potok in April and May 2012. The case of one of the defendants was severed from the trial since he failed to appear for the main trial session. The main trial in the case against five defendants, including a well-known Kosovo Serb politician, accused of war crimes, continued throughout the reporting period and attracted most critical attention and scrutiny, including political pressure from various sources in Serbia and in northern Kosovo on the Mission and its judicial staff. In September, the hearings of prosecution witnesses came to an end and the trial continued with the hearing of the defence witnesses. After the detention on remand was again extended for two of the defendants, one of them initiated a hunger strike on 7 August, which lasted until 22 August. He was temporarily hospitalized. On 18 September, the two defendants' detention on remand was replaced with house detention. On 18 September, a panel of EULEX judges opened the main trial against two defendants in the second of three judicial proceedings related to the shooting of a Kosovo police officer, Enver Zymberi, in July 2011.

The Mission continued to provide advice to the Kosovo police, including on inter-ethnic crime and on principles of intelligence-led policing. As a concrete outcome of EULEX discussions with the Kosovo police on crime trends, the Kosovo police decided to have regional investigations and operations units work together and to do joint patrolling as to prevent vehicle thefts. EULEX helped the Kosovo police Directorate General and Kosovo police North in terms of community policing, which also involved the setting up of local public safety committees, together with the Organization for Security and Cooperation in Europe. The project will require further support from the Mission to become fully embraced by the local police and political leadership. The Mission also supported Kosovo police officers by accompanying them to remote areas where little or no community policing had been conducted in the past.

2.4 Dialogue implementation

On 20 July, 25 members of the civil protection were integrated into the Kosovo Correctional Service, bringing the overall number to 105 former civil protection staff employed by Kosovo institutions. They started their two-month basic training course at the Kosovo Academy for Public Safety in Vushtrri/Vučitrn on 27 July, which will prepare them for their duties at the Mitrovica Detention Centre. The selection panel identified suitable candidates for most positions foreseen in the agreement and it is expected that this process can be finalized in the coming weeks. On 12 August, the last observation point of civil protection at the main bridge in Mitrovica was handed over to the Kosovo police. EULEX later facilitated the removal of the container on 14 September. On 25 August, EULEX facilitated the handover of equipment, such as rubber boots, shovels and fire extinguishers to the Kosovo Agency for Emergency Management, which distributed the equipment on the same day to the four northern municipalities.

On 12 August, after a first meeting of its Implementation Committee facilitated by the Council of Bureaux, the memorandum of understanding on the mutual recognition of vehicle insurance policies entered into force. It enables users of motor vehicles registered in one party who are in possession of a valid insurance for the territory of the other party to enter and travel freely in that jurisdiction without the purchase of additional insurance.

3. Other key issues

On 16 September, the Joint Rule of Law Coordination Board, co-chaired by the Minister of Justice, the European Union Special Representative/Head of the European Union Office in Kosovo and the EULEX Head of Mission, met for the second time in 2015. In the meeting, the third Compact progress report for the period from July 2014 to July 2015 was approved. The Board also discussed the fulfilment of the requirements set out in the visa liberalization road map, the dissatisfactory state of play of implementation of the Board's road maps, the intended strategic review of the justice sector by the Ministry of Justice and measures taken to strengthen the independence of the justice system and to fight political interference in the rule of law.

Annex II

Composition and strength of the police component of the United Nations Interim Administration Mission in Kosovo

(as at 15 October 2015)

Country	*Number*
Austria	1
Bulgaria	1
Germany	1
Hungary	1
Italy	1
Russian Federation	1
Turkey	1
Ukraine	1
Total	**8**

Composition and strength of the military liaison component of the United Nations Interim Administration Mission in Kosovo

(as at 15 October 2015)

Country	*Number*
Czech Republic	2
Poland	1
Republic of Moldova	1
Romania	1
Turkey	1
Ukraine	2
Total	**8**

Map No. 4133 Rev. 58 UNITED NATIONS
October 2015 (Colour)

Department of Field Support
Geospatial Information Section (formerly Cartographic Section)